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EXAMINER

DIVINE, LUCAS

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/003,411	Applicant(s) GUPTON ET AL.	
	Examiner Lucas Divine	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal-matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-22, 24-33 and 35-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-22, 24-33 and 35-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Claims 1 – 10, 12 – 22, 24 – 33, and 35 – 41 are pending.

Response to Arguments

2. Applicant's arguments filed 12/28/05 have been fully considered but they are not persuasive.

With respect to applicant's arguments regarding claim 1 that Daniels does not teach the limitations of previous claim 11.

In reply, Daniels teaches a failed email management system (regeneration processor 118, Fig. 1), wherein said failed email management system is configured and arranged to receive a notice of a failed email delivery including a failed email address (col. 4 lines 26-34), and to change a document delivery designation for an intended recipient of a failed email to receive documents only non-electronically (col. 2 lines 20-23; col. 4 lines 26-34; col. 5 lines 36-45; col. 7 lines 5-30 and 45-57, wherein the documents are only printed/delivered physically and it does not try to resend electronically and the delivery designation must change or else it would continue to try and send electronically).

Because the designation is changed to send only non-electronically (i.e. they are not retried electronically but only tried non-electronically after a failed email) in Daniels, a designation must be changed. Daniels does not teach having a stored designation change for future sending but that is only recited in newly amended claims 15 and 28 as discussed below.

With respect to applicant's arguments that Daniels does not teach the newly added sections of claims 15 and 28.

Daniels does not teach the new limitations of claims 15 and 28, thus the rejection is withdrawn. However, after careful consideration of the Reilly reference, Examiner believes that while Daniels teaches changing the designation to deliver the documents non-electronically when the email address failed, Daniels does not specifically teach changing the stored document delivery designation so that future documents are delivered to the intended recipient only non-electronically.

However, Reilly teaches forwarding (via forwarding list server 300, Fig. 2) a message to a new address if the old address fails (col. 2 lines 29-32; col. 4 lines 10-15 and throughout) including automatically forwarding to the new address in the future (see abstract, wherein the sending entity can have its database automatically changed to route to the new address; col. 3 lines 1-3; col. 3 line 32, wherein the forwarded address can be a physical address; col. 4 lines 60-63, wherein "thereafter automatically sending" to the new address).

It would have been obvious to one of ordinary skill in the art that the forwarding of Daniels could be automatically changed and therefore sent to the new physical address in the future, thus adding the beneficial feature of Reilly to the failed email management system of Daniels. The motivation for doing so would have been to not keep trying to email the dead email address and then getting errors and re-routing to the user non-electronically and to have it get to the user faster and with less unnecessary steps.

Thus, claims 15 and 28 have new rejections below necessitated by the amendment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Daniels, Jr. et al. (US 6343327).

Regarding claim 1, Daniels teaches a **system for electronically delivering documents** (Fig. 1, of which includes the more specific elements of subsequent figures), **said system comprising:**

a document system (100, Fig. 1), said document system producing document information for printing documents (shown as providing documents and addresses and control info in Fig. 1 to print stream processor 102 - Fig. 2 as well shows sending documents from 200 and information for printing the documents [instructions, col. 4 lines 49-52] from 204, both part of 100; col. 4 lines 36-45);

a print management system (102, Fig. 1), wherein said print management system accepts document data and document print requests from said document system (shown as receiving documents and addresses and control info in Fig. 1 from sender's mainframe 100), **and further wherein said print management system determines whether a requested document is designated for electronic delivery or non-electronic delivery** (Fig. 1 shows the

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determination of whether to forward the document to the electronic or non-electronic delivery streams as noted below; col. 3 lines 43-45; col. 4 lines 46-64; col. 1 line 66-col. 2 line 2; col. 5 lines 18-19);

a recipient database (202, Fig. 2), wherein said recipient database stores recipient information (addressing information for customers [col. 3 line 29] - inherently must know where to route the physical mail, e-mail, fax, pager, etc. and the customer database has the information on the customers);

a print system (physical delivery printstream including 104-106 to physical mail of Figs. 1 and 2), wherein said print system is configured to receive and print documents designated for non-electronic delivery (receives the documents, prints them, and sends them out via physical mail, Fig. 1; col. 3 lines 45-48 and 56-67);

an email system (electronic delivery printstream including 110 – 113, Fig. 1), said email system configured to accept and process document data for creating and delivering documents electronically (col. 4 lines 1-34; col. 3 lines 49-55); and

a failed email management system (regeneration processor 118, Fig. 1), wherein said failed email management system is configured and arranged to receive a notice of a failed email delivery including a failed email address (col. 4 lines 26-34), and to change a document delivery designation for an intended recipient of a failed email to receive documents only non-electronically (col. 2 lines 20-23; col. 4 lines 26-34; col. 5 lines 36-45; col. 7 lines 5-30 and 45-57, wherein the documents are only printed/delivered physically and it does not try to resend electronically and the delivery designation must change or else it would continue to try and send electronically).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2 – 7, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels as applied to claim 1 above, and further in view of Quine (US 6782415).

Regarding claim 2, which depends from claim 1, Daniels teaches a **consent database** (202, Fig. 2, Daniels teaches the database 202 is both the customer [recipient] database and it stores the delivery preference [consent information] in that database as well), **said consent database storing each potential document recipient's selected document delivery designation to receive documents electronically or non-electronically** (col. 4 lines 46-49; col. 3 lines 29-30).

Daniels does not specifically teach that the consent database information is a separate database from the recipient database.

However, Quine teaches nearly an identical system by the same assignee including a consent database, recipient database, document system, print management system, and email system (see Figs. 1-4 and associated text). Further, the database system 130 of Quine holds recipient information [recipient] and holds preference information [consent] as discussed in col.

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4 lines 40-67. The database system is taught to be implemented in any way the user would like, as one database, multiple, etc.. (col. 7 lines 18-30).

Therefore it would have been obvious to one of ordinary skill in the art that the single database shown in Daniels could have been implemented as multiple databases. The motivations for doing so would have been to have two smaller databases for faster access and if only one type of information is needed (e.g. only consent information) at a given time, only one database need be accessed and the accessing can be faster because there is less data to search through. Other motivations for having multiple databases instead of one large one are well known in the art.

Regarding claim 3, which depends from claim 2, Daniels teaches the **print management system determines whether to process a document for electronic on non-electronic delivery based upon a document delivery designation stored in said consent database** (col. 3 lines 43-45; col. 4 lines 46-64; col. 1 line 66-col. 2 line 2; col. 5 lines 18-19).

Regarding claim 4, which depends from claim 3, Daniels teaches a **parsing engine** (web router 112, Fig. 1), wherein said parsing engine receives document data from said print management system for documents selected for electronic delivery (as part of the electronic delivery printstream, Fig. 1 shows the electronic documents going to 112/113 blocks), and further wherein said parsing engine processes said document data for storage (outputs the electronic document as web content [processes into web content – further it can processes the data by encrypting it as shown in Fig. 1] and outputs to web server for storage; col. 4 lines 10-25).

Regarding claim 5, which depends from claim 4, Daniels teaches a **server (116, Fig. 1)**, wherein said server provides on-line access to the document data and electronic documents stored by said parsing engine (col. 2 lines 15-16, col. 4 lines 10-25; col. 6 lines 10-12).

Regarding claim 6, which depends from claim 5, Daniels teaches the **email system composes and transmits electronic notices regarding the status and availability of stored documents and document data** (col. 2 lines 19-20; col. 4 lines 18-25; col. 6 lines 21-28).

Regarding claim 7, which depends from claim 5, Daniels teaches that the **email system composes electronic documents comprised of document data** (col. 6 lines 35-47, wherein the electronic delivery printstream formats [composes] the documents electronically in a variety of formats for delivery) **and transmits said electronic documents to electronic document recipients** (delivery shown in Fig. 1 and cited in parent claims).

Regarding claim 10, which depends from claim 5, Daniels does not specifically teach **the document delivery designations for multiple recipients are changed together based upon common identifying criteria**.

However, Quine teaches **the document delivery designations for multiple recipients are changed together based upon common identifying criteria** (distributions lists are commonly identifying criteria for multiple recipients; col. 2 lines 60; col. 5 lines 1-7).

It would have been obvious to use the distributions lists in the similar system of Daniels as they are used in Quine. Distributions lists are a common and well known feature of electronic deliveries and are used to enable the quick setup and mailing to a group (department, group, or any other list of participants) instead of selecting each one individually and also to change features for a whole group instead of just for the one individual. For example, meeting

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announcements can be transmitted to a whole group instead of each individual separately (col. 5 lines 24-25 of Quine).

3. Claims 12, 13, 15, 24 – 26, 28, 35 – 37, and 39 – 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels in view of Reilly (US 6427164).

Regarding claim 12, which depends from claim 1, while Daniels teaches the forwarding of the document to the recipient in a non-electronic way when the email (or electronic) method fails – which implicitly includes being able to look up the same user in the database for their corresponding physical address (thus reading on retrieves a name data field and an address data field from the recipient database), Daniels fails to teach that the actual forwarding includes extracting identifying email data fields from said notice of a failed email delivery and retrieves a name data field and an address data field from the recipient database based on the extracted identifying email data fields.

However, Reilly teaches forwarding (via forwarding list server 300, Fig. 2) a message to a new address if the old address fails (col. 2 lines 29-32; col. 4 lines 10-15 and throughout) **extracting identifying email data fields from said notice of a failed email delivery** (col. 2 lines 29-32; col. 2 line 67-col. 3 line 3; col. 3 lines 15-35; col. 7 lines 10-13; col. 8 lines 56-59 – email field examples given such as user2 [col. 6 line 37] or DestinationUsername [col. 6 line 65]) **and retrieves a name data field and an address data field from the recipient database based on the extracted identifying email data fields** (Reilly uses the mail recipient's name [col. 2 lines 29-32] for looking up the new address in the server; col. 7 lines 10-13; 'internal table of names' col. 7 line 29).

It would have been obvious to one of ordinary skill in the art that a name must be used to look up the new address to forward the message to, and since Daniels receives a failure notification in electronic form (same as Reilly), it would have been obvious to draw the username for looking up the user's alternate addresses via the electronic communication as taught in Reilly. The motivation for doing so would have been a fast and easy way to look up the new address. No other types of record keeping would need to be kept to associate a certain message with a user because the user's name could be drawn right from the electronic form of the message.

Regarding claim 13, which depends from claim 12, Reilly further teaches an **Internet server** (forwarding list server 300, Fig. 2 [on internet, col. 6 line 5]), **wherein said Internet server provides access for the intended recipient to correct said failed email addresses** (col. 8 lines 40-41).

Regarding claim 39, which depends from claim 1, while Daniels teaches changing the designation to deliver the documents non-electronically when the email address failed, Daniels does not specifically teach changing the stored document delivery designation so that future documents are delivered to the intended recipient only non-electronically.

However, Reilly teaches forwarding (via forwarding list server 300, Fig. 2) a message to a new address if the old address fails (col. 2 lines 29-32; col. 4 lines 10-15 and throughout) including automatically forwarding to the new address in the future (see abstract, wherein the sending entity can have its database automatically changed to route to the new address; col. 3 lines 1-3; col. 3 line 32, wherein the forwarded address can be a physical address; col. 4 lines 60-63, wherein "thereafter automatically sending" to the new address).

It would have been obvious to one of ordinary skill in the art that the forwarding of Daniels could be automatically changed and therefore sent to the new physical address in the future, thus adding the beneficial feature of Reilly to the failed email management system of Daniels. The motivation for doing so would have been to not keep trying to email the dead email address and then getting errors and re-routing to the user non-electronically and to have it get to the user faster and with less unnecessary steps.

Regarding claim 41, which depends from claim 1, while Daniels teaches changing the designation to deliver the documents non-electronically when the email address failed, Daniels does not specifically teach changing the preferred document delivery designation so that future documents are delivered to the intended recipient only non-electronically.

However, Reilly teaches forwarding (via forwarding list server 300, Fig. 2) a message to a new address if the old address fails (col. 2 lines 29-32; col. 4 lines 10-15 and throughout) including automatically forwarding to the new address in the future (see abstract, wherein the sending entity can have its database automatically changed to route to the new address; col. 3 lines 1-3; col. 3 line 32, wherein the forwarded address can be a physical address; col. 4 lines 60-63, wherein “thereafter automatically sending” to the new address) – also that the first address tried in the future is the new address (which, when added to Daniels, suggests the altering of the preferred delivery option).

It would have been obvious to one of ordinary skill in the art that the forwarding of Daniels could be automatically changed and therefore sent to the new physical address in the future, thus adding the beneficial feature of Reilly to the failed email management system of Daniels. The motivation for doing so would have been to not keep trying to email the dead email

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address and then getting errors and re-routing to the user non-electronically and to have it get to the user faster and with less unnecessary steps.

Regarding claims 15 and 40, the structural elements of apparatus claim 1 perform all of the method steps of method claim 15 except the limitation listed below. Therefore, method claim 15 is rejected for the same reasons set forth in the rejection of apparatus claim 1. While Daniels teaches changing the designation to deliver the documents non-electronically when the email address failed, Daniels does not specifically teach changing a corresponding stored document delivery designation if a failed email notification is received so that an intended recipient will no longer receive electronic documents.

However, Reilly teaches forwarding (via forwarding list server 300, Fig. 2) a message to a new address if the old address fails (col. 2 lines 29-32; col. 4 lines 10-15 and throughout) including automatically forwarding to the new address in the future so that the old address will no longer receive electronic documents (see abstract, wherein the sending entity can have its database automatically changed to route to the new address; col. 3 lines 1-3; col. 3 line 32, wherein the forwarded address can be a physical address; col. 4 lines 60-63, wherein “thereafter automatically sending” to the new address).

It would have been obvious to one of ordinary skill in the art that the forwarding of Daniels could be automatically changed and therefore sent to the new physical address in the future, thus adding the beneficial feature of Reilly to the failed email management system of Daniels. The motivation for doing so would have been to not keep trying to email the dead email address and then getting errors and re-routing to the user non-electronically and to have it get to the user faster and with less unnecessary steps.

Regarding claim 28, the structural elements of apparatus claims 4, 5, 6, and 1 perform all of the method steps of method claim 28 except the limitation below. Therefore method claim 28 is rejected for the reasons set forth in the rejection to apparatus claims 4, 5, 6, and 1. While Daniels teaches changing the designation to deliver the documents non-electronically when the email address failed, Daniels does not specifically teach changing a corresponding stored document delivery designation if a failed email notification is received so that an intended recipient will no longer receive electronic documents.

However, Reilly teaches forwarding (via forwarding list server 300, Fig. 2) a message to a new address if the old address fails (col. 2 lines 29-32; col. 4 lines 10-15 and throughout) including automatically forwarding to the new address in the future (see abstract, wherein the sending entity can have its database automatically changed to route to the new address; col. 3 lines 1-3; col. 3 line 32, wherein the forwarded address can be a physical address; col. 4 lines 60-63, wherein “thereafter automatically sending” to the new address).

It would have been obvious to one of ordinary skill in the art that the forwarding of Daniels could be automatically changed and therefore sent to the new physical address in the future, thus adding the beneficial feature of Reilly to the failed email management system of Daniels. The motivation for doing so would have been to not keep trying to email the dead email address and then getting errors and re-routing to the user non-electronically and to have it get to the user faster and with less unnecessary steps.

Regarding claims 24 and 35, which depend from claims 23 and 34, Daniels teaches sending notices to recipients with delivery information (see rejection of claim 6) and also

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performing delivery actions based on failed emails – re-routing to non-electronic delivery methods.

It would have been obvious that if an electronic notice could not have been emailed, that it would be re-routed to non-electronic methods for delivery just as other documents are re-routed. The motivation for doing so would have been to allow notices to reach users that wouldn't have since the email address failed.

But the combination does not teach that the notice can be a **notice of a failed email delivery**.

Reilly teaches sending a non-delivery report of failed email addresses to users (col. 7 line 32 and throughout –referred to as NDR).

It would have been obvious that if a user receives a notice that their print job is going to be non-electronically delivered (in the case above where the email address fails), that it would include such information. The motivation for doing so would have been that the user would update their email address in the system (as discussed in other claims regarding Reilly) and future communications would be correct.

Regarding claims 25 and 36, which depend from claims 24 and 35, the structural elements of apparatus claim 12 perform all of the method steps of method claims 25 and 36. Therefore, method claims 25 and 36 are rejected for the same reasons set forth in the rejection of apparatus claim 12.

Regarding claims 26 and 37, which depend from claims 25 and 36, the structural elements of apparatus claim 13 perform all of the method steps of method claims 26 and 37.

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Therefore, method claims 26 and 37 are rejected for the same reasons set forth in the rejection of apparatus claim 13.

4. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels and Quine as applied to claims 6 and 7 above, and further in view of Smith et al. (US 6385655).

Regarding claim 8, which depends from claim 6, while the Daniels teaches sending notices to a recipient, the combination does not specifically teach **email system combines multiple electronic notices for delivery to a single recipient at one time.**

However, Smith teaches sending notices to a user once documents to deliver have been stored (col. 2 lines 64-67, col. 5 line 48 – col. 6 line 4) and multiple electronic documents for delivery to a single recipient at one time (Fig. 4, 112, wherein multiple documents can be sent in one transmission to recipients in 110). Thus, when the documents were available for delivery, the system would not send a separate notice for each document (as in Quine and Daniels), but would send a combined notice for all the documents (e.g. sending the URLs for the documents in one transmission instead of each separately).

Since it would have been obvious for Daniels to send multiple documents at once for delivery instead of just sending one at a time in order to save transmission time and effort, which also saves bandwidth not having the extra information and headers, it would have also been obvious to include the notices for those documents into one transmission for similar reasons.

Regarding claim 9, which depends from claim 7, while Daniels teaches sending documents to a recipient, the combination does not specifically teach including **multiple electronic documents for delivery to a single recipient at one time.**

However, Smith teaches including **multiple electronic documents for delivery to a single recipient at one time** (Fig. 4, 112, wherein multiple documents can be sent in one transmission to recipients in 110, col. 5 line 23).

It would have been obvious to send multiple documents at once for delivery instead of just sending one at a time in order to save transmission time and effort, which also saves bandwidth not having the extra information and headers.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels, and Reilly as applied to claims 13 above, and further in view of Bruce et al. (US 6741724) and Seestrom (US 6647385).

Regarding claim 14, which depends from claim 13, the combination of Daniels, and Reilly teach updating a user address via the Internet as discussed in claim 13. They do not teach **a postcard form template accessible via the Internet, wherein the intended recipient may print the postcard form template, provide information requested on the postcard form template and mail the postcard form template back for processing.**

However, Bruce teaches it is well known in the art to change an address of a user by a **form template accessible via the Internet** (forms via internet, col. 1 lines 61-63), **wherein the intended recipient may print the postcard form template, provide information requested on the postcard form template and mail the postcard form template back for processing** (col. 1 line 61 – col. 2 line 5).

It would have been obvious to one of ordinary skill in the art to change an associated address via forms in order to allow the user to fill out a manual form instead of doing it online.

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The motivation for this (as stated in Bruce, col. 2) is that public acceptance of online updating of addresses has been slow, and a vast majority of people will continue to opt for existing ways of updating addresses (filling out the pages).

While Bruce teaches postcards in the mail system, Bruce does not specifically teach the form to be printed on a **postcard**.

Seestrom teaches printing change of address forms on postcards (Figs. 3, 5, and 7 and their descriptions, including col. 6 line 40).

It would have been obvious to print a change of address form on a postcard. The motivation would have been that postcards are cheaper to send through the mail than standard sheets of paper in envelopes.

6. Claims 16 – 20, 22, 29 – 31, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels and Reilly as applied to claims 15 and 28 above, and further in view of Quine.

Regarding claims 16, 17, 29, and 30, which depend from claims 15 and 28, the structural elements of apparatus claim 2 perform all of the method steps of method claims 16, 17, 29, and 30. Therefore, method claims 16, 17, 29, and 30 are rejected for the same reasons set forth in the rejection of apparatus claim 2 and are combinable to Daniels as discussed in the rejection to claim 2.

Regarding claims 18 and 31, which depend from claims 17 and 30, the structural elements of apparatus claim 3 perform all of the method steps of method claims 18 and 31.

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Therefore, method claims 18 and 31 are rejected for the same reasons set forth in the rejection of apparatus claim 3.

Regarding claim 19, which depends from claim 18, the structural elements of apparatus claim 4 perform all of the method steps of method claim 19. Therefore, method claim 19 is rejected for the same reasons set forth in the rejection of apparatus claim 4.

Regarding claim 20, which depends from claim 19, the structural elements of apparatus claim 7 perform all of the method steps of method claim 20. Therefore, method claim 20 is rejected for the same reasons set forth in the rejection of apparatus claim 7.

Regarding claims 22 and 33, which depend from claims 19 and 29, the structural elements of apparatus claim 10 perform all of the method steps of method claims 22 and 33. Therefore, method claims 22 and 33 are rejected for the same reasons set forth in the rejection of apparatus claim 10.

7. Claims 21 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels, Quine, and Reilly as applied to claims 20 and 30 above, and further in view of Smith.

Regarding claim 21, which depends from claim 20, the structural elements of apparatus claim 9 perform all of the method steps of method claim 21. Therefore, method claim 21 is rejected for the same reasons set forth in the rejection of apparatus claim 9 and Smith is combinable to Daniels as discussed in the rejection to claim 9.

Regarding claim 32, which depends from claim 30, the structural elements of apparatus claim 8 perform all of the method steps of method claim 32. Therefore, method claim 32 is

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rejected for the same reasons set forth in the rejection of apparatus claim 8 and Smith is combinable to Daniels as discussed in the rejection to claim 8.

8. Claims 27 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Daniels and Reilly as applied to claims 26 and 37 above, and further in view of Bruce and Seestrum.

Regarding claims 27 and 38, which depend from claims 26 and 37, the structural elements of apparatus claim 14 perform all of the method steps of method claims 27 and 38. Therefore, method claims 27 and 38 are rejected for the same reasons set forth in the rejection of apparatus claim 14 and Bruce and Seestrum are combinable with Daniels as discussed in the rejection to claim 14.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucas Divine whose telephone number is 571-272-7432. The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lucas Divine
Examiner
Art Unit 2625

ljd


KING Y. POON
PRIMARY EXAMINER